

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION



Village of Fox River Grove, Illinois,  
Petitioner,

v.

Union Pacific Railroad Company (UP) and the State of Illinois, Department of  
Transportation (IDOT),  
Respondents.

RE: Petition to 1) widen the existing concrete pavement on US Route 14  
(Northwest Highway) at Algonquin Road to provide a 150' right turn lane for  
eastbound to southbound right turning vehicles; 2) reconfigure the existing  
train station parking lot on the south side of US Route 14; 3) widen the radius  
of the southwest corner of the intersection of US Route 14 and Algonquin  
Road to provide a wider pavement area for right turns by single-unit trucks  
and buses; 4) relocate traffic and railroad signal posts and gate arm behind  
proposed curb and gutter; 5) replace wiring for said signal posts; 6) move the  
existing conduit and wiring for the traffic signal interconnect with Lincoln  
Avenue along the right turn lane and right turn taper length; 7) replace the  
detector loops on the west leg at the US Route 14 and Algonquin Road  
intersection; and 8) install a longer crossing gate at the intersection of US  
Route 14 and Algonquin Road.

T04-0075

TO ALL PARTIES OF RECORD:

**NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULINGS**

Notice is hereby given of the following administrative law judge's rulings:

- (1) Thomas Benson shall file his appearance with the office of the Director of Processing of the Commission's Transportation Bureau by **May 23, 2005**.
- (2) The following standing order is entered:
  - (a) Each pleading filed in this proceeding shall include the name of the party filing the pleading in the title of the pleading. If the pleading is addressed to some but not all other parties, the names of those parties shall be included in the title of the pleading.
  - (b) The parties shall include the docket number of this proceeding in the subject lines of correspondence to the administrative law judge.
  - (c) In addition to filing originals with the office of the Director of Processing of the Commission's Transportation Bureau, the parties shall serve the judge with paper and electronic copies of all filings (except exhibits that cannot

**DOCKETED**

be served electronically) and other written communications. Electronic copies shall be addressed to: bcole@icc.state.il.us.

- (3) The following post-evidentiary-hearing briefing schedule is entered:
- (a) The judge shall serve the parties with a list of issues to be addressed in their briefs by **June 6, 2005**.
  - (b) The Petitioner shall file its brief and proposed order by **July 25, 2005**.
  - (c) The Respondents shall file their briefs and proposed orders by **August 29, 2005**.
  - (d) The Petitioner shall file its reply by **September 12, 2005**.
  - (e) The Respondents shall file their surebuttal, or notice of intention not to file a surebuttal, by **September 26, 2005**.

Entered: May 4, 2005

  
Bernadette Cole  
Administrative Law Judge  
Review & Examination Program

BC  
Railroad Staff: Mr. Powers

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Parties of Record	Date Added	Date Removed
Mr. Victor A. Modeer Director of Highways-IDOT ATTN: JEFF HARPRING, ROOM 205 2300 South Dirksen Parkway Springfield, IL 62764		
Mr. Mack Shumate, Jr. Union Pacific Railroad Company 101 N. Wacker Dr., Ste. 1920 Chicago, IL 60606		
CT Corporation System Union Pacific Railroad Company 208 S. LaSalle Street Chicago, IL 60604		
Mr. Stephen J. Tasch Village of Fox River Grove, President 305 Illinois Street Fox River Grove, IL 60021		
Ms. Donna Brouder Village of Fox River Grove, Clerk 305 Illinois Street Fox River Grove, IL 60021		
Mr. Peter M. Rosenthal Rosenthal, Murphey & Coblentz 30 North LaSalle Street, Suite 1624 Chicago, IL 60602		
Ms. Judith N. Kolman Rosenthal, Murphey & Coblentz 30 North LaSalle Street, Suite 1624 Chicago, IL 60602		
Mr. Dave McKernan Union Pacific Railroad Company 100 North Broadway #1500 St. Louis, MO 63102		

ILLINOIS COMMERCE COMMISSION  
TRANSPORTATION DOCKET

CASE NO. T04-0075

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Mr. Thomas Benson  
Special Assistant Attorney General  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 311  
Springfield, IL 62764

ILLINOIS COMMERCE COMMISSION  
ADMINISTRATIVE LAW JUDGE'S HEARING REPORT

Hearing Date 4/28/05 and 4/29/05

Case No. T04-0075 Type of Case RR

Petitioner Applicant Village of Fox River Grove, Illinois

Respondent Union Pacific Railroad Company (UP) and the State of Illinois Department of Transportation (IDOT)

Intervenor

Transcript Taken? Yes Continued to 10/24/05 or Heard and Taken

Pleadings and Motions

Thomas Benson served appearance on ALJ on behalf of IDOT.

**Petitioner's Exhibits Offered and Admitted**

1. Curriculum Vitae of G. Michael Ziegler, PE, PTOE
2. Curriculum Vitae of John A. Ambrose, P.E.
3. Curriculum Vitae of Jason J. Fluhr, P.E.
4. Photograph of Existing Intersection at U.S. Route 14 and Algonquin Road, Fox River Grove
5. Diagram of Present Configuration of UP Railroad Tracks and Route 14/Algonquin Road Intersection
6. Proposed design for Route 14/Algonquin Road Intersection;
7. Depictions of WB-55 and B-40 Right and Left Hand Turns at Route 14/Algonquin Road Intersection
8. Approved Local Project development Report; and
9. Correspondence, dated March 4, 2004, from George H. Brant to Arthur Osten, Jr.
10. Average Daily Traffic County for Trucks (April 6-7, 2004)
11. Chronology
12. ICC Correspondence – 1/98
13. E-mail – Jason Fluhr – 1 page
14. E-mails – Jason Fluhr – Group Ex.
15. Manual on Uniform Traffic Control Devices for Streets and Highways

Remarks

**Add to service list:**

**Diana Collins**  
**Special Assistant Attorney General**  
**Illinois Commerce Commission**  
**160 N. LaSalle St. – Suite C-800**  
**Chicago, IL 60601**

**Respondent UP's Exhibits Offered and Admitted**

1. Photos/Algonquin Road
3. U.S. DOT Inventory
4. Introduction to Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) – 2003 ed. - Federal Law
- 4A. Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) – 2003 ed. - Federal Law
5. Addition of MUTCD – State Law
8. IDOT Truck Route Map
9. IDOT Specifics for Design Vehicles for Algonquin Road
10. IDOT Design Specs (Bureau of Design and Environment Manual)
11. Current Front Sheet
12. Form 1, 2 & 3's
13. IDOT Revised Traffic Signal Modification Plan
17. Village of Fox River Grove – Ordinances (Maximum Truck Lengths)
18. IDOT Letter dated 04/02/02 (Internal Stip WB 55 Design vehicle reduced to WB 40 design vehicles)
19. Letter dated 09/21/05 covering "close calls"
20. Videotape of Route 14 and Algonquin Road intersection; and Algonquin Road and UP intersection
21. Curriculum Vitae of Albert Klais, P.E., Safety Engineering Associates
- 29A-D. Turning Radius Examples

Send Notice Yes

Administrative Law Judge Cole

*(Administrative Law Judge: No hearing is completed until you have filled out this form in full.)*